

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:  
THOMPSON LAMBERT LLP  
Suite 200  
10328 - 81 Avenue  
EDMONTON, Alberta  
Canada, T6E 1X2

## PCT

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (date/month/year)	02 March 2005 (02-03-2005)
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Applicant's or agent's file reference  
1745-11WO

**FOR FURTHER ACTION**  
See paragraph 2 below

International application no  
**PCT/CA2004/001885**

International filing date (date/month/year)  
18 October 2004 (18-10-2004)

Priority date (date/month/year)  
22 October 2003 (22-10-2003)

International Patent Classification (IPC) or both national classification and IPC

IPC7: B29C 53/60, B29C 53/56, B29C 53/82, B65H 54/02

Applicant **RESIN SYSTEMS INC. ET AL**

1. This opinion contains indications relating to the following items :

- |     |              |  |
|-----|--------------|--|
| [X] | Box No. I    | Basis of the opinion   |
| [ ] | Box No. II   | Priority   |
| [ ] | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| [ ] | Box No. IV   | Lack of unity of invention   |
| [X] | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| [ ] | Box No. VI   | Certain documents cited  |
| [ ] | Box No. VII  | Certain defects in the international application   |
| [X] | Box No. VIII | Certain observations on the international application  |

#### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/  
Commissioner of Patents  
Canadian Patent Office  
Box PCT, Ottawa/Gatineau K1A 0C9

Facsimile No. (819) 953-9538

Authorized officer

Craig MacMillan (819) 934-3422

Box No. I      Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language which it was filed, unless otherwise indicated under this item.

- ☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of :

a. type of material

- ☐ a sequence listing  
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format  
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments :

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/CA2004/001885

**Box No. V reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims	1-15	YES
	Claims	none	NO
Inventive step (IS)	Claims	1-15	YES
	Claims	none	NO
Industrial applicability (IA)	Claims	1-15	YES
	Claims	none	NO

**2. Citations and explanations :**

1. The subject matter of claim 1 is novel, satisfying the requirements of PCT Article 33(2).
  - 1.1. CA 2,274,328 (D1), which is regarded as the closest prior art, discloses a dry filament winding process which overcomes the problem of resin coated filament fibres sliding off the mould during filament winding. Claim 1 which is directed to solving the same problem is characterized by wet winding the resin coated filament fibres and winding yarn circumferentially around the mandrel to maintain the wet fibres in position and correct tension. This method is not known from D1
  - 1.2. CA 748,843 (D2) discloses a wet filament winding process where a strip is drawn from the inside of a reel and wound around a mandrel, where the reel rotates around the mandrel. D2 is silent on the problem of resin coated filament fibres sliding off the mould during filament winding.
2. The subject matter of claim 1 also involves an inventive step, satisfying the requirements of PCT Article 33(4)
  - 2.1 The improvement over prior art lies basically in the fact that the position and tension of resin impregnated filament is maintained by winding yarn overlying the filament.
3. Claims 2-15 are dependent on claim 1 and concern particular embodiments of the objects disclosed in the claim, which are therefore likewise novel and inventive.
4. The claims are directed to subject matter that is industrially applicable satisfying the requirements of PCT Article 33(5).

**Box No. VIII**

**Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made :

1. Claims 3, 4, 6-10, 12 and 13 each lack a transitory portion between the preamble and main body of the claim which effectuates a lack of clarity. It is suggested that the word "wherein", or an equivalent, be used as the transitory portion.

Hence, claims 3, 4, 6-10, 12 and 13 do not meet the requirements of Article 6 PCT.

2. Page 8 of the description uses language in the last paragraph that is not compliant with Article 6 PCT. Statements which imply that the extent of protection may be expanded in some vague and not precisely defined way are not permitted.